

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 1:21-cv-23103-BLOOM/OTAZO-REYES

CASA EXPRESS CORP, as Trustee of
CASA EXPRESS TRUST,

Judgment Creditor,

v.

BOLIVARIAN REPUBLIC OF
VENEZUELA,

Judgment Debtor.

/

**MOTION TO COMPEL IMPLEADED DEFENDANTS TO PARTICIPATE IN
DRAFTING JOINT SCHEDULING REPORT AND A PROPOSED SCHEDULING
ORDER OR, ALTERNATIVELY, MOTION FOR A SCHEDULING CONFERENCE**

Plaintiff and Judgment Creditor Casa Express Corp, as Trustee of Casa Express Trust (“Plaintiff”), moves to compel the Impleaded Defendants¹ to participate in the drafting a joint scheduling report and a proposed scheduling order in accordance with this Court’s Civil Procedures. Alternatively, Plaintiff moves for a scheduling conference with the Court.

1. This Court’s Civil Procedures require parties to “confer, prepare and file a joint scheduling report and a proposed scheduling order” once the defendants have appeared in the action.

2. In this action, the Gorrin Entities appeared through counsel nearly two years ago on November 4, 2021. ECF No. [35]. Gorrin appeared through counsel approximately a year later on November 1, 2022. ECF No. [102].

¹ “Impleaded Defendants” collectively refer to Raul Gorrin Belisario (“Gorrin”), and his entities: Posh 8 Dynamic Inc., Planet 2 Reaching Inc., RIM Group Investments Inc., RIM Group Investments I Inc., RIM Group Investments II Inc., and RIM Group Investments III Inc. (collectively, “Gorrin Entities”).

3. On October 18, 2023, Plaintiff conferred with counsel to the Impleaded Defendants to attempt drafting a joint scheduling report and a proposed scheduling order in accordance with the Court's Civil Procedures.

4. However, counsel to the Impleaded Defendants objected to jointly drafting a scheduling report and a proposed scheduling order contending that it would be "premature" by virtue of the motions for judgment on the pleadings, ECF Nos. [231, 232], that they filed last week.

5. But the Civil Procedures plainly require the parties to prepare and file a joint scheduling report with a proposed scheduling order "[o]nce the defendant[s] appear[s] in the action[.]" As explained above, the Gorrin Entities appeared in this action nearly two years ago, and Gorrin appeared nearly a year ago. Therefore, their recently filed motions do not justify postponing entry of a scheduling order in this action.

6. For this reason, Plaintiff respectfully requests that the Court compel the Impleaded Defendants to participate in the drafting of a joint scheduling report and a proposed scheduling order in accordance with the Court's Civil Procedures. Alternatively, Plaintiff respectfully requests that the Court hold a scheduling conference at its earliest convenience.

WHEREFORE, Plaintiff and Judgment Creditor Casa Express Corp, as Trustee of Casa Express Trust respectfully requests that the Court compel the Impleaded Defendants to comply with the Court's Civil Procedures. Alternatively, Plaintiff respectfully requests that the Court hold a scheduling conference at its earliest convenience.

Dated: October 19, 2023

Respectfully submitted,

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/s/ Andres Gamardo

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CERTIFICATE OF SERVICE

I hereby certify that on October 19, 2023, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system.

By: */s/ Andres Gamardo*
Andres Gamardo, Esq.